4:Latcham F-5 (1888-1893) 1909 SG4 Araucanians SG4

683 In the case of death by sorcery, the guilty were condemned to die by fire in the manner already described.

681 Murder, maiming, adultery, robbery, or any minor crime were punished by a fine, to be paid by the offender or his relatives. In the case of murder, if the prisoner were poor and unable to pay, he was generally condemned to death, and immediately on sentence being given was led out and despatched with a stone club. It frequently happened, however, that the condemned and his relations offered resistance to the decisions of the council. This almost invariably happened if he belonged to another clan or tribe. The result was a *malon* or sudden attack, and was the source of continual intertribal warfare.

The law of retaliation was the only one understood, although the keen commercial spirit of the Araucano led him to forego personal vengeance for its accruing profit. Thus every injury had its price, which varied with the importance of the offended. The price of a death, and in this case accidental death, or homicide in self-defence, ranked with murder, was that of ten *llamas*, strings of green and black stones, generally silicates of copper. This payment was called *llamentun*. Traitors and kidnappers were also punished with death.

695 Robbery committed in the same clan or tribe was compounded by a payment in kind, but with considerable increase according to the social position of the offender. If caught in the act he was publicly whipped, sometimes to death.

684 Adultery was not considered as an outrage to the honour of the husband, but a damage to the feminine property of the offended, and was punished by him at will, either by the death of the wife, or her sale, but most frequently by a heavy compensation by the co-respondent, except in the case of the culpable parties being caught *flagrante delicto* when the husband was within his right in slaying them both.

682 Parricide, infanticide, wife-murder, intentional abortion, and similar acts committed within the first rank of blood relations were not considered as crimes, it being held that these relations were of the same blood, and that it was allowable for anyone to shed his own blood.

684 Immorality and indecency, even the most depraved, were not considered as faults, the men and single girls enjoying unquestioned right to dispose of themselves and their bodies as they thought fit, and during their feasts the utmost licence prevailed, absolutely no bonds of relationship being recognised in their drunken amours, even incest being of the most frequent occurrence.

648 At present the jurisdiction of the tribes is nominally under the charge of the Chilian judicial authorities; but only in extreme cases are these courts appealed to, the Indians still retaining their old customs in the majority of districts, although there is an increasing tendency to recur to these tribunals in all civil cases.

601 621 *Relationship.*—Among the Araucanos, relationship was recognised to the fourth generation. This, and the fact of polygamy being an institution among them, accounts for the fact of the family groups, clans, and tribes, being at times very powerful, a chief's importance, socially and politically, depending directly on the

10: Hilger E-5 (1946-1952) 1957
SG4 Araucanians SG4
Chile

chief; kurá, stone), which he wore suspended from his neck (fig. 4, *a*), and by an earring (he wore only one) which was distinctly different from those worn by other persons (fig. 4, *b*). "I saw a machi [man] wear an ül'me kurá. Why he did so I do not know." 622

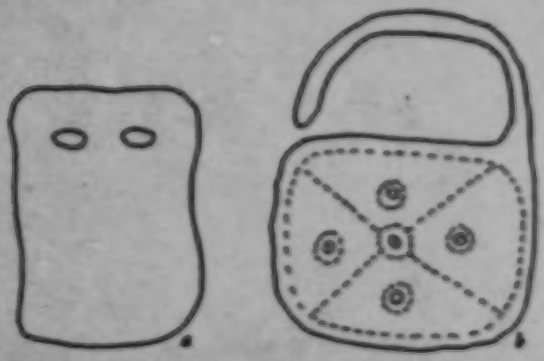

FIG. 4.—Emblems distinguishing a cacique: *a*, An ül'me kurá, a stone worn suspended from the neck of the cacique. (Courtesy Father Sigifredo Fremiliot of Panguipulli.) *b*, Earring. (Courtesy Museo Araucano de Temuco.)

LAW AND ORDER

As previously stated, in the early days maintaining order and punishing offenders were duties of the cacique. Quoting informants: "In very early days, if it was positively known that a person was a kalku [witch], the cacique ordered such a person to be killed, my mother told me. He was usually pierced with a lance at the gillatun." "My father who was a cacique saw to it that there was order among his people. Everybody who had a complaint about anything came to him; complaints were usually about stealing or fighting with either fists or knives. He would threaten punishment, even to having a man shot." "My father was a cacique. I remember when I was a child that someone was beaten up by my father's nephew. My father ordered both men to come before him. After hearing both sides, he corrected his nephew. If someone was known to have stolen cattle, my father sent for him and told him either to pay for the cattle or return them to the owner." 627 [683]

If an offense involved persons from the jurisdiction of more than one cacique, joint action regarding both the offender and his punishment was taken by the caciques concerned. "A cacique from one witran mapu would go to the cacique in another witran mapu, maybe to tell him of a murder, or maybe of a death caused by witchcraft, or 628

10: Hilger E-5 (1946-1952) 1957
SG4 Araucanians SG4
Argentina

are going one by one!" It was customary for the cacique to order the sergeant to unearth the vessel at the subsequent gillatun. "He may find the vessel half emptied," noted Kolupan. "If he does, the cacique will announce to the people that either chau chau took the other half or the dead ate it—there is a world in which the dead live, you know." "Do you really believe, Kolupan," I asked, "that the dead ate it?" Much annoyed he rejoined, "Most certainly, the dead took it. And they must have eaten it or why would they have taken it? You could come to that conclusion yourself!"

BLACK ART, SUPERSTITIONS, VISIONS

Formerly, both sexes were accused of being sorcerers (kalku); today, more often men are so accused (when I was in the area, a Quilaquina man in his fifties was so accused; cf. p. 322). Sorcerers do harm to persons, animals, and fields by personal contact or through a medium. Harm done to a field of grain is called dano; witchcraft in general is called kalkutun. Witchcraft can be overcome, however, by someone who knows how to counteract it.

Witchcraft is often exercised because of jealousy. It may be used on someone who has a good harvest several successive years to bring about failure in his crops or sickness for himself. Sorcerers were punished by being hung over a fire and left there to burn to death. "That is the way it was done, formerly. The kalku would say, 'Why do you hang me? What you accuse me of, I have not done. Those people whom you say I caused to die died a natural death; they would have died in any event.' But the hanging was done." Kolupan told of one method of attempting to discover sorcerers. "Chechetta, a cacique, was cold-hearted. When it was known that an enemy was on the way to attack our people, he called the people of his lofche together and ordered all the women to sit down in two rows.—My father often told me this.—Chechetta wanted to find out if there was a kalku among the women; he feared that if there were one, she would betray our people to the enemy, once the enemy was near enough. He ordered each woman to raise both hands like this [thumbs opposed and palms outward]. Behind each woman stood a man who rested his lance upon the woman's shoulder. There was much and loud beating of the kultrug, and yelling by the people. Every woman was now closely observed. If she moved her hands or dropped them or showed nervousness in any way, she was declared to be a witch, and was burned to death. Chechetta died. His son Llakatrul was the next cacique. He said that it was not right to kill a woman for such reasons, that maybe

Ill:Faron E-5 (1952-1954)1961 SG4 Araucanians SG4
Mapuche

Decisions regarding peacetime affairs and warlike undertakings were usually made in conferences of the responsible men and subheads at the house or meeting-ground of the head or "chief" after free expression of views and by common agreement. There was a certain loose hierarchy of honor and status (rather than authority proper) embracing higher and lower heads and "chiefs"—which brings us to the less clear features of the . . . sociopolitical structure [715].

In the course of time, particularly after the beginning of the 19th century, a certain increase in the executive and judicial power and authority accrued to peacetime headmen . . . and the earlier atomistic peacetime political structure assumed somewhat greater unity, cohesion, and hierarchization. But the basic democratic forms and functions persisted largely intact [716].

In writing of law and legal procedure, Cooper has this to say:

The chief crimes recognized were adultery and wife-stealing, murder, theft, homicidal sorcery, and treason. The offended party and his kin dealt with the offender; in earlier times headmen and other caciques had little or no authority to try cases or to pronounce judgment. Adultery, murder, and sorcery were punishable by death, and sometimes were actually so punished; but more commonly, in cases of adultery and murder, composition was resorted to, with payment of strings of llamas . . . [716].

Today, certain behavior is defined as extralegal by Chilean standards, serious departures from national law being handled by Chilean institutions empowered to enforce law and order. The Mapuche go to law for the settlement of disputes involving certain crimes and torts, but within the reservation community traditional sanctions deal effectively with other antisocial acts of a different nature. Most important among these are the ones which involve sorcery and which the Chilean courts usually refuse to consider seriously. Ostracism, ridicule, and the threat of sorcery continue as sanctions on most if not all reservations and larger communities. In certain instances, therefore, the Mapuche "take the law into their own hands," applying traditional moral principles in the ordering of social action. But matters involving property and personal rights not capable of being dealt with by traditional means are ultimately resolvable by recourse to the Chilean system of courts and law-enforcement agencies.

MAPUCHE: "PEOPLE OF THE LAND"

After the declaration of Chilean independence in 1810, the new national government assumed responsibility for colonizing the Mapuche stronghold south of the Bío Bío River. In general, the republican government's efforts followed the pattern established during the

11:Faron E-5 (1952-1954)1961 SG4 Araucanians SG4
Mapuche

on the reservations I studied. Certainly nowadays a man would not kill his wife unless he was frenzied and caught her in the act with another man.

An unfaithful wife may be beaten by her husband without his receiving censure from the community or from his wife's kin, as long as they feel that his suspicion against her is well founded. Even so, such treatment is usually dealt out only when the husband is drunk and morose. Drunken women also tend to tongue-lash unfaithful husbands.

In cases of repeated infidelity a man will send his wife away—drive her from the house if necessary. There are usually only two courses for her to take. One is to seek employment in a Chilean city. Few women are prepared to do this, it being more often resorted to by young, more acculturated girls, and for other reasons than marital disputes. The other, traditional, course is to return to her natal group, where she may have some claim to land through the largess of a kinsman or through having been one of the original *radicadas*, or where she might live with one of her close relatives.

If a husband is in the habit of getting drunk and manhandling his wife and children, it is customary for a neighbor—a member of his lineage—to intercede and advise the man against such action. This is a traditional manner of settling disputes where chieftainship is weak. It is said that chiefs formerly had authority to prevent such violence on the part of a man if they felt it was disruptive to community life. It is also said that wife beating in a communal or multifamily household occurred only when the husband was outraged and had the expressed sympathy of the rest of the male members; otherwise he would be shamed by such action.

In mentioning the discordant aspects of marriage it is not meant to imply that the husband-wife relationship is not generally enduring and satisfying. As a rule, husband-wife relationships tend to be harmonious, stable, and evidence a good deal of mutual affection and pride of family. The husband enjoys a traditionally dominant role. While his wife is customarily housebound by the nature of her duties she also enjoys freedom in going to the town market and visiting other households on her husband's reservation. She makes trips to her natal reservation and visits married sisters wherever they might be living.

A woman's loneliest years are those just after marriage, when she has been separated from her closest kin and has to make an adjust-

12: Faron E-4, 5 (1952-1954) 1964
SG4 Araucanians SG4
Mapuche

777 782 the like is not attributed to any specific force of evil, but rather to a pervading malevolence and a feeling that *dewechen* has been insufficiently or imperfectly propitiated. There is a partial acceptance of hardship and an attempt to supplicate *dewechen* in public ceremonial, in order to control the machinations of the collective *wekufe*, generalized evil. Failure of ceremonial appeal [791] may result in some diminution of faith in the efficacy of the [793] priest (*ãllatufe*) who conducts the ritual, but it does not seem to lessen belief in the general body of religious lore and ritual [754] action. If anything, it seems to heighten concern with sorcery [789] and the forces of evil that plague humanity. The failure of public ritual in some cases encourages persons to seek additional individual protection through shamanistic assistance.

796 795 *Wekufe* is the generic term for all malevolent spirits and forces in the world. As a descriptive device, since the Mapuche do not order as much as they lump these forces of evil, they may be categorized as animistic and placed into three groups: animals, natural phenomena, and ghosts. Any evil spirit has the power, or is able through the manipulation of a *kalku*, to assume the form of a being representative of any of the three groups, and to make itself visible and invisible at will. These spirits or forces are abroad mostly at night, although they may be active in 754 the daytime as well. They are all at some time or other under the 795 control of a sorcerer, but if mistreated they have enough power 796 of their own to operate freely against her, should she be off-guard. They may even be able to kill her. Although there is a general feeling that witches never die, there is the contradictory notion that they may be killed through the agency of the forces [756] they have failed to control. Shamans may thwart the designs of witches, but they are seldom felt to have enough power to kill them, that is, make a witch's familiar spirits consume her. After •683 all the bits of data are sifted, Mapuche logic forces the [811] conclusion that the only way a *kalku* may die, without being [613] killed by a rebellious spirit, is to be executed by a human with the consent of a local descent group. But even with regard to this matter there is not complete agreement, some Mapuche feeling that only the corporeal part of the witch is destroyed, while the evil soul remains to cause grief elsewhere. Formerly, as [178] described in the literature and in oral accounts, witches were

12: Faron E-4.5 (1952-1954) 1964
SC4 Araucaniana SC4
Mapuche

burned and dismembered at the order of a *loulo*. Nowadays they are simply driven from the community, since the people fear reprisal from the Chilean government. At least in one litigation in the Chilean courts, a Mapuche woman was cleared of responsibility for murdering a suspected witch since, the judge held, such action was in conformance with traditional belief.

Animal Forms. The forms which evil forces may assume are multiple and highly varied. Only the most common ones will be discussed here. All are harmful, both to humans and animals, and they almost always suck the blood of their victim. They contaminate the essence of the creature by attacking its substance, and the inevitable result of a successful attack is the loss of the creature's soul and its eventual possession by a sorcerer. The contaminated soul or spirit in turn acquires an insatiable desire for blood. The control and recruitment of evil beings is thus circular and unending.

The more common forms are mainly animals of the field and forest, perhaps with certain distorted characteristics, but there are also a few unnatural forms which combine either parts of two animals or animal and human parts. Among these latter is the *chonchon*, described as a bird with a human head, sometimes said to be the evil incarnation of a practicing sorcerer. *Piwichen* sometimes takes the form of a cock, sometimes a snake with wings, and in either form thrives on human or animal blood. *Wallepen* is described as a large beast of the forest, capable of changing into a sheep or into the combined form of a sheep and cow. It lives in the swampy woods and harms people and animals at the time of birth, causing them to be crippled or blind. The afflicted person, the victim, is sometimes called *wallepen*. Variations on this theme are innumerable.

Actual birds, such as the *pequen*, *concon*, *killkill*, *huelen*, *wuthwuth*, *jurce*, *perimo*, and others are harbingers of evil, birds of the night who pass over houses or sing near them, portending misfortune and death. They are of little or no significance if seen in the daytime, provided they do not linger near one's house after sundown. Nor are they greatly feared when heard to sing in the fields or woods at a distance from the house. The day birds of evil omen are the *loiku* and *pitrin*. The *wilki*, *tregul*, and

12: Faron E-4, 5 (1952-1954) 1964
SC4 Araucanians SC4
Mapuche

75 time, during which the *machi* is in some danger from the *kalku*.
75 Upon agreeing to conduct a *kalkutun*, the *machi* requests the
787 victim's family to bring saliva, eyebrows, finger- and toenail
parings, and hand hairs which have been saved by them for this
purpose. The *machi* is entrusted with these items for a year.
After the year has passed, these objects begin to "speak" to her
of the cause of death. The *machi* calls the victim's family
around her to listen to these objects. Those present are able to
understand only a small part of what the objects are saying. In
the course of her performance, the *machi* reveals, through the
objects, the *kalku* who is responsible for the victim's death, and
• [813] also suggests the proper manner of killing the *kalku*. This is as
far as the *machi* goes, unless she is one of the rare ones willing to
undertake the supernatural murder of the witch. In any case, the
family returns home armed only with the *kalku*'s general (and
stereotyped) description and notice of her general whereabouts,
for the *machi* does not furnish the *kalku*'s name or that of the
kalku's client.

754 It is up to the family to take further action against the witch
683 or her client if they choose. Seizure and burning was the
traditional manner in which *kalku* were disposed of in the past,
but the Chilean police force has put an end to that. The
witch-burning tales told by informants do not relate their own
experiences, usually, but those of their fathers and grandfathers.
When direct action is taken against a witch today, the family of
the victim does so by hiring the services of another *kalku* to
practice counter magic. However, this action has drawbacks.
Kalku are rather prone to loyalty to one another, for one thing,
and it might be difficult to find a professional witch who admits
to being a powerful *kalku*. Should a *kalku* be approached and
then refuse to lend assistance, the would-be client considers
himself in some danger. *Kalku* are available for doing harm to
ordinary people, but usually balk at combatting one of the
sisterhood.

751 *Machi* performances themselves are dangerous to participants
and spectators, since anyone connected with the manipulation
of spirits is considered exposed to supernatural danger. There
are somewhat effective safeguards that people may employ,
which at least limit or reduce supernatural danger. Recently,

12: Faron E-4, 5 (1952-1954) 1964
SC4 Araucanians SC4
Mapuche

which is described as a hopeless den, the entrance to which is guarded by evil spirits in animal form. Witches congregate in the ruka, where spirits of former kalku who have not entered living bodies reside. These unattached spirits of former kalku are the familiars of living witches. The assemblage of witches, disposed and incorporeal, makes incantations over dead dogs, frogs, snakes, and the like against their human victims. Only kalku are able to enter the ruka with impunity. If a machi or anyone else stumbled upon the ruka, they would be captured and either put to death, so that their spirit could be converted into a familiar, or else pressed into the sisterhood as a corporeal witch and allowed to live as long as the kalku's secrets were kept.

Witches are difficult to discover, but discovery is possible. Witchcraft is a favorite topic of conversation when there have been strange happenings in the community. Supernatural events are discussed avidly and mulled over by the people. Eventually, some person might be associated with these strange happenings, either because of an accusation of witchcraft made previously or because her activities seem odd to her neighbors. She is watched for continued peculiar behavior and branded a sorcerer once a sufficient number of people are convinced of her evilness. This is brought about with greater or less difficulty, depending on the level of anxiety in the community. No action need be taken against her, except for ostracism. She will be shunned and will be a target for suspicion henceforth, and if the community continues to be plagued by strange and harmful events, she may be more severely dealt with. If she is in fear of her life at the hands of the community, or if countersorcery is being practiced against her, she may quit the reservation. There is a good deal of evidence about such people having been evicted from their husband's reservation. Old crones who grub a living in one or another of the frontier towns are often said to have been evicted because of practicing witchcraft on the reservation. This is both a Chilean and a Mapuche opinion. Many men who try to gain admission to a new reservation community, because they have no claim to adequate land on their natal reservation, also fall under this shadow of suspicion. As far as men are concerned, many who live uxorilocally (even for obvious eco-

12: Faron E-4, 5 (1952-1954) 1964
SC4 Araucanians SC4
Mapuche

683 591 nomic reasons) are accused of having been chased from their natal communities for practicing witchcraft. People speak of them in whispers as "once having been a witch," the implication being that no action will be taken against them as long as they do not renew their evil activities. Since these men tend to be ambitious, underlying their search for more land, and attempt to make the most of uxorilocal residence—an unviable condition in most cases—they usually arouse the hostility of some members of their adoptive community. Among males, these in-married men are most suspect of themselves engaging in witchcraft, or in hiring the services of a sorcerer, to enhance their own status.

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The Saterhoods

754 752 Something remains to be said about groups of shamans and sorcerers qua groups. Cooper (1946:750), again following Métraux, wrote, "there were no shaman societies," and by his silence on the matter seems to imply there were no societies of witches. He did mention, though, that aspiring *machi* were secretly instructed by practicing shamans and were initiated "into the profession" according to solemn ritual, which included animal sacrifice, feasting, and a symbolic expression of unity, at least between neophyte and teacher.

Actually both shamans and witches form what might be called, legitimately, corporate groups. That of the shamans is a life and blood reality, with its supernatural component. That of [172] the witches is real in the sense of its existence in people's thoughts and its effect of social action, and it seems to complement that of the shamans in the Mapuche dualistic theory of good and evil forces. There are any number of hints of this structure in the historic and more recent literature, and the dualism at least is noted by Titiev (1951:114).

754 *Kalku* are believed to gather in *reñu*, where they conduct their evil machinations in subterranean secrecy. They fly by night to their rendezvous, frequently as *chonchon*, when the occasion demands. Titiev, although not mentioning the corporate nature of the witching profession, refers to these meetings as "witches' Sabbaths," which I think is a fair figure of speech, even though [184] it might imply regularity which does not exist. The composition of witches' groups is somewhat differently conceptualized in

12: Faron E-4, 5 (1952-1954) 1964
SG4 Araucanians SG4
Mapuche

tion, the ritual congregation, or total Mapuche society. But this feeling is associated mainly with murder-by-witchcraft. Maliciousness short of murder is the thing which continually engages the attention of any person or group. The practice of sorcery or the fear of it tends to correlate with interpersonal or intergroup tensions, which means that relatives, neighbors, and local Chileans are suspected of witchcraft. The more intimate the bond of kinship or friendship, the more unlikely that fears of homicidal sorcery will exist. Thus, the most devastating supernatural influences emanate from without the group, however the group be defined. With regard to the merely malicious as distinguished from the lethal aspects of sorcery, and even though the professional sorcerer be an outsider, the ill-wisher is usually a member of the community. The community may be the residential kingroup, the reservation, or the ritual congregation.

Wealthy men and poor, old, widowed women tend to shoulder the brunt of suspicion and accusation of being witches. However, a wealthy man (*ülmen*) is seldom openly charged. His wife might be accused of practicing sorcery for her husband's benefit, or the man might be said to have *witranalwe* in his service, not to do harm but to guard his possessions against his neighbors—an affront to the community. Poor, aged widows are favorite targets for charges of sorcery and are felt to be witches themselves, whereas it is believed that most other coresidents merely hire the services of a *kalku*, having little or no power themselves. Unless such a woman is felt to be especially dangerous and troublesome, she will not be evicted. It is usually hoped that she will soon die and that her spirit will go elsewhere, a matter on which I have already touched.

The wealthy and the extremely poor, especially widows who have survived their children and who, of course, are only affinally related to core members of the lineage, are the ones who are peripheral to the community. Wealthy men tend to have more land and animals; widows, perhaps more land than they are felt to need. They exemplify evil, but rather than being evicted or harmed, they are maligned, shunned, ridiculed. Fear of Chilean police power is partly responsible for this, I feel, but it is not the only reason why suspected members of the community are not dealt with more harshly.

12: Faron E-4, 5 (1952-1954) 1964
SG4 Araucanians SG4
Mapuche

000 754 754 283 621 community are not dealt with more harshly. A witch is a terrible person whom no one undertakes to harm without the backing of the entire community.

754 613 678 Within one's own patrilineage the fear of sorcery being practiced for the purpose of murder, illness, or injury is negligible, although one may expect certain animosities to result in the practice of sorcery for the purpose of causing crop damage, loss of animals and other valued objects, and so forth. Actually, I know of no case in which murder-by-witchcraft was charged between members of the same lineage. And one's enemy within the lineage does not practice sorcery himself, as a rule, but engages the services of a *kalku* to inflict the harm. In these cases the sorcerer is usually a person living on a "distant reservation," as the explanation goes, and is difficult or impossible to discover; and one's enemy, if he does not reveal himself, cannot be identified easily. Since one may never be certain of his enemy in such cases, fears tend to subside as one's fortune improves.

754 737 613 683 The minimum solidarity necessary for the localized lineage to operate in group activities would be greatly endangered should sorcery leading to murder or serious illness be practiced by one member against another. If such a suspicion was apparently confirmed, there would almost certainly be a concerted effort to expel the evildoer. If the intended victim were to murder the alleged sorcerer, the act would be considered as an execution (previously discussed) and sanctioned by the responsible lineage members. But these rules emerge from stories of such happenings in the past, not, to my knowledge, from events in contemporary Mapuche society. In most instances, people would be [692] satisfied with evicting the evildoer; or, in some cases, with an [648] appeal made to the *Juez de Indios* or a criminal court to resolve the matter within the framework of Chilean law.

754 613 578 Accusations of witchcraft do arise within the lineage, but between members of its branches. The members of sublineages—father, sons, and grandsons—are as a rule the most tightly integrated group above the level of elementary family organization. Indeed, these persons might even comprise a *lofche* or an [423] extended-family group. The greatest danger to sublineage soli- [428] darity results from land shortage, which affects not so much [581] inheritance (which tends to be equal among a man's sons) as it